

EXHIBIT F



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February 18, 2022

VIA EMAIL

Steven J. Kaiser, Esq.
Cleary Gottlieb Steen & Hamilton LLP
2112 Pennsylvania Avenue
Washington, DC 20037

**Re: *Fusion Elite All Stars v. Varsity Brands, LLC*, No. 2:20-cv-02600
(W.D. Tenn.)**

Dear Steve:

I'm writing to follow up on the data questions outlined in Plaintiffs' February 1 letter ("Letter") to which Varsity has thus far refused to respond. Plaintiffs have identified a subset of particularly urgent questions for which we seek responses from Varsity by **February 25, 2022**. Plaintiffs are continuing to review Varsity's data productions in light of the additional issues identified in the Letter and will apprise Varsity if we continue to seek answers to those questions which are not raised in this letter.

As you know, it is common practice in complex litigation for the parties to engage in an informal process to ask questions and obtain a common understanding of the data produced by the parties. That informal process is highly efficient, saving the time and money of obtaining answers to the same questions through a Rule 30(b)(6) deposition. However, if Varsity is unwilling to provide answers to basic questions about its own data, we will have no choice but to seek those answers through a Rule 30(b)(6) deposition. Further, it is our position that Varsity waives any objection or opposition to plaintiffs' expert reports or testimony based on any alleged inaccuracies that would have been avoided had you responded to our questions about the data.

In the spirit of cooperation, set forth below are our urgent questions.

Please confirm that the AS400, Nationals, and SFDC tabs of VAR00439289-92 and VAR00010122-27 reflect all Varsity-brand events for seasons 2011 through 2020.

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Varsity's rebate database at bates number VAR00352214 includes over 80 gyms with a "customer number" not reflected in the AS400, Nationals, and/or SFDC event datasets. For example, customer number 34943671 ("United Cheer Arlington") appears in VAR00352214 with 17 associated events across seasons 2013-2014 through 2015-2016, but never appears in the AS400, Nationals, and/or SFDC datasets. Please explain such discrepancies.

Regarding the AS400 tabs of VAR00439289-90, 92:

- Please provide the "event name" field, as set forth in the sample Varsity provided during our data negotiations, or a way to match the fields "session name" and/or "event code" to an event title such as those that appear in the other event datasets (e.g., SFDC, Nationals tabs of same Excel file group).
- Varsity previously advised that the "participants" field refers to the number of athletes on the invoice, and the "sponsors" field refers to the number of coaches on the invoice. Please describe how to distribute the figures given in the fields "registration2," "cancellation fees," "nsf," "discount," and "net revenue" between the "participant" and "sponsor" categories.
- Please explain the meaning of entries where the "participants" field is equal to 0.

Regarding the Nationals tabs of VAR0043989-92, VAR00010122-23:

- Please provide the event name or a way to match the fields "session name" and/or "event code" to an event title such as those that appear in the other event datasets (e.g., SFDC data).
- We understand that the "family" field refers to the number of family members on the invoice, when a family is purchasing a package, the "participants" field refers to the number of athletes on the invoice, and the "sponsors" field refers to the number of coaches on the invoice. Please describe how to distribute the figures given in the following fields between those three categories: "total invoice," "cancellation fees," "discount," "discount2," "discount3," and "net revenue."
- Please explain the meaning of entries where the "participants" field is equal to 0.

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Regarding the SFDC tabs of VAR0043989-91, VAR00010122-27, please define the field "opportunity Varsity Family Plan."

Regarding the Worlds Data in VAR00452001-03 and VAR00452004-06:

- Please describe how to interpret entries where "total participants" is minimal (e.g., 0 or 1).
- Please describe how to break down the "package total" price between participants, coaches, mascots, and other in VAR00452004-06.
- Please explain how to distribute "total invoice," "discount," "discount2," and "discount3" between "participants," "sponsors," and "family" in VAR00452001-03.

Lastly, most observations in VAR00462070 and VAR00462071 appear to be duplicates. For every event with the same name, the date is the same. Please confirm that these observations are meant to be duplicated, that the "event start date" field is not incorrectly specified, and there is not a missing field that differentiates the observations. Or, if these are not intended to be duplicates, please confirm that they are missing the event name, which should be located in the session name field.

Thank you for your anticipated cooperation so that the parties can avoid wasting time and resources answering basic data questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark R. Suter'.

Mark R. Suter